

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| ROBERT RYUICHI MITSUGI, | : |
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| Petitioner, | : |
| | : |
| -against- | : |
| | : |
| EUNJI JUNG, | : |
| | : |
| Respondent. | : |
| -----X | |

22 Civ. 8025 (LGS)

ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, an Amended Case Management Plan and Scheduling Order, issued January 20, 2023, required the parties to submit a status letter on March 10, 2023, regarding the progress of discovery, mediation and the status of proceedings involving the parties in Japan, and scheduled a case management conference for March 29, 2023. An Order issued February 23, 2023, extended the deadline for fact discovery to March 24, 2023.

WHEREAS, in letters dated March 9, 2023, and March 10, 2023, respectively, the Respondent and Petitioner each confirmed their willingness to pay for half of the cost of a court-appointed neutral expert, should such an expert be necessary to adjudicate any dispositive motions.

WHEREAS, on March 9, 2023, Respondent requested an extension of the deadline to file a pre-motion letter regarding a contemplated motion for summary judgment. On March 10, 2023, Petitioner filed a letter requesting that the deadline for such letters remain the same and further requesting that the Court set a deadline for the parties to exchange expert reports prior to the close of discovery.

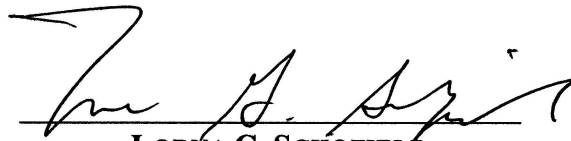
WHEREAS, the parties did not file the required joint status letter on March 10, 2023. It is hereby

ORDERED that the parties shall file the required joint status letter, as described in the Amended Case Management Plan, as soon as possible and no later than **March 14, 2023**. It is further

ORDERED that, in an effort to avoid unnecessary expense and promote efficiency, the parties' experts shall prepare a joint expert report by **April 5, 2023**. The experts shall confer in an effort to resolve any differences and shall note any remaining conflicts between their opinions within the text of the report. The parties shall not merely append one report in front of the other. Instead, a single report shall present conflicting points or comments adjacent to one another. Petitioner's request for a court-imposed deadline for the parties to serve each other expert reports is **DENIED** as moot. It is further

ORDERED that the case management conference scheduled for March 29, 2023, is **ADJOURNED to April 26, 2023, at 4:10 P.M.** Any party wishing to move for summary judgment shall file a pre-motion letter by **April 12, 2023**. If such a pre-motion letter is filed, the opposing party shall file a letter in response by **April 19, 2023**. Any pre-motion letter shall include a statement explaining why factual disputes do not preclude summary judgment. If the parties anticipate that factual disputes will preclude summary judgment, they shall file a joint status letter on **April 12, 2023**, proposing next steps in this litigation following the close of all discovery, including a proposal for an evidentiary hearing or trial on the merits.

Dated: March 13, 2023
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE